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DATE OF DEPOSIT: January 16, 2004

I hereby certify that this transmittal and the documents referred to as enclosed therein are being deposited with the U.S. Postal Service in an envelope as "Express Mail Post Office to Addressee," under 37 CFR 1.10 on the date indicated above and is addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Beverly A. Lee

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Mark R. Boeder

Art Unit: 1661

Application No.: 10/622,678

PTO Confirmation No.: 1363

Filed: July 17, 2003

Examiner: Unknown

For: CHRYSANTHEMUM PLANT
NAMED 'NIRVANA IMPROVED'

Atty. Docket: 10451.0039.NPUS01

PETITION FOR EXTENSION OF TIME UNDER 37 C.F.R. § 1.136

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

It is hereby requested that the period for responding to the outstanding Notice to File Missing Parts dated October 21, 2003 be extended one month from December 21, 2003 to January 21, 2003 by the filing of this Petition and fee payment.

The petition fee is believed to be \$110.00 for a one-month extension under 37 C.F.R. § 1.17(a), and the Commissioner is authorized to deduct the fee from Deposit Account No. 50-

1263, referencing Docket No. 10451.0039.NPUS01. A duplicate copy of this Petition is enclosed.

If additional extensions of time under 37 C.F.R. § 1.136 other than those provided for here are required to prevent abandonment of the present patent application, then such extensions of time are hereby petitioned. Should any additional fees be required for any reason relating to this application, the Commissioner is authorized to charge any additional fees, or credit any overpayment, to Deposit Account No. 50-1263, referencing Docket No. 10451.0039.NPUS01.

In order to facilitate the resolution of any issues or questions presented by this paper, Applicant respectfully requests that the Examiner contact the undersigned by telephone to further the discussion at (650) 463-8100. In order to further promote the prosecution of this application, the Examiner is also authorized to contact the undersigned by electronic mail. Please address all e-mail to DicksonM@howrey.com.

Respectfully submitted,

Date: January 16, 2004



Mark K. Dickson (Reg. No. 32,889)
HOWREY SIMON ARNOLD & WHITE LLP
301 Ravenswood Avenue
Menlo Park, California 94025-3434
(650) 463-8100
Attorney for Applicant